

106TH CONGRESS
2D SESSION

S. 1288

IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 2000

Referred to the Committee on Resources

AN ACT

To provide incentives for collaborative forest restoration projects on National Forest System and other public lands in New Mexico, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Community Forest
5 Restoration Act”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds the following:

3 (1) A century of fire suppression, logging, and
4 livestock grazing has altered the ecological balance
5 of New Mexico's forests.

6 (2) Some forest lands in New Mexico contain
7 an unnaturally high number of small diameter trees
8 that are subject to large, high intensity wildfires
9 that can endanger human lives, livelihoods, and eco-
10 logical stability.

11 (3) Forest lands that contain an unnaturally
12 high number of small diameter trees have reduced
13 biodiversity and provide fewer benefits to human
14 communities, wildlife, and watersheds.

15 (4) Healthy and productive watersheds mini-
16 mize the threat of large, high intensity wildfires,
17 provide abundant and diverse wildlife habitat, and
18 produce a variety of timber and non-timber products
19 including better quality water and increased water
20 flows.

21 (5) Restoration efforts are more successful
22 when there is involvement from neighboring commu-
23 nities and better stewardship will evolve from more
24 diverse involvement.

25 (6) Designing demonstration restoration
26 projects through a collaborative approach may—

1 (A) lead to the development of cost effective
2 restoration activities;

3 (B) empower diverse organizations to im-
4 plement activities which value local and tradi-
5 tional knowledge;

6 (C) build ownership and civic pride; and

7 (D) ensure healthy, diverse, and productive
8 forests and watersheds.

9 **SEC. 3. PURPOSES.**

10 The purposes of this Act are—

11 (1) to promote healthy watersheds and reduce
12 the threat of large, high intensity wildfires, insect in-
13 festation, and disease in the forests in New Mexico;

14 (2) to improve the functioning of forest eco-
15 systems and enhance plant and wildlife biodiversity
16 by reducing the unnaturally high number and den-
17 sity of small diameter trees on Federal, Tribal,
18 State, County, and Municipal forest lands;

19 (3) to improve communication and joint prob-
20 lem solving among individuals and groups who are
21 interested in restoring the diversity and productivity
22 of forested watersheds in New Mexico;

23 (4) to improve the use of, or add value to, small
24 diameter trees;

1 (5) to encourage sustainable communities and
2 sustainable forests through collaborative partner-
3 ships, whose objectives are forest restoration; and
4 (6) to develop, demonstrate, and evaluate eco-
5 logically sound forest restoration techniques.

6 **SEC. 4. DEFINITIONS.**

7 As used in this Act—

8 (1) the term “Secretary” means the Secretary
9 of Agriculture acting through the Chief of the For-
10 est Service; and

11 (2) the term “stakeholder” includes: tribal gov-
12 ernments, educational institutions, landowners, and
13 other interested public and private entities.

14 **SEC. 5. ESTABLISHMENT OF PROGRAM.**

15 (a) The Secretary shall establish a cooperative forest
16 restoration program in New Mexico in order to provide
17 cost-share grants to stakeholders for experimental forest
18 restoration projects that are designed through a collabo-
19 rative process (hereinafter referred to as the “Collabo-
20 rative Forest Restoration Program”). The projects may
21 be entirely on, or on any combination of, Federal, Tribal,
22 State, County, or Municipal forest lands. The Federal
23 share of an individual project cost shall not exceed eighty
24 percent of the total cost. The twenty percent matching
25 may be in the form of cash or in-kind contribution.

1 (b) ELIGIBILITY REQUIREMENTS.—To be eligible to
2 receive funding under this Act, a project shall—

3 (1) address the following objectives—

4 (A) reduce the threat of large, high inten-
5 sity wildfires and the negative effects of exces-
6 sive competition between trees by restoring eco-
7 system functions, structures, and species com-
8 position, including the reduction of non-native
9 species populations;

10 (B) re-establish fire regimes approximating
11 those that shaped forest ecosystems prior to fire
12 suppression;

13 (C) preserve old and large trees;

14 (D) replant trees in deforested areas if
15 they exist in the proposed project area; and

16 (E) improve the use of, or add value to,
17 small diameter trees;

18 (2) comply with all Federal and State environ-
19 mental laws;

20 (3) include a diverse and balanced group of
21 stakeholders as well as appropriate Federal, Tribal,
22 State, County, and Municipal government represent-
23 atives in the design, implementation, and monitoring
24 of the project;

1 (4) incorporate current scientific forest restora-
2 tion information; and

3 (5) include a multi-party assessment to—

4 (A) identify both the existing ecological
5 condition of the proposed project area and the
6 desired future condition; and

7 (B) report, upon project completion, on the
8 positive or negative impact and effectiveness of
9 the project including improvements in local
10 management skills and on the ground results;

11 (6) create local employment or training oppor-
12 tunities within the context of accomplishing restora-
13 tion objectives, that are consistent with the purposes
14 of this Act, including summer youth jobs programs
15 such as the Youth Conservation Corps where appro-
16 priate;

17 (7) not exceed four years in length;

18 (8) not exceed a total annual cost of \$150,000,
19 with the Federal portion not exceeding \$120,000 an-
20 nually, nor exceed a total cost of \$450,000 for the
21 project, with the Federal portion of the total cost
22 not exceeding \$360,000;

23 (9) leverage Federal funding through in-kind or
24 matching contributions; and

1 (10) include an agreement by each stakeholder
2 to attend an annual workshop with other stake-
3 holders for the purpose of discussing the cooperative
4 forest restoration program and projects implemented
5 under this Act. The Secretary shall coordinate and
6 fund the annual workshop. Stakeholders may use
7 funding for projects authorized under this Act to
8 pay for their travel and per diem expenses to attend
9 the workshop.

10 **SEC. 6. SELECTION PROCESS.**

11 (a) After consulting with the technical advisory panel
12 established in subsection (b), the Secretary shall select the
13 proposals that will receive funding through the Collabo-
14 rative Forest Restoration Program.

15 (b) The Secretary shall convene a technical advisory
16 panel to evaluate the proposals for forest restoration
17 grants and provide recommendations regarding which pro-
18 posals would best meet the objectives of the Collaborative
19 Forest Restoration Program. The technical advisory panel
20 shall consider eligibility criteria established in section 5,
21 the effect on long term management, and seek to use a
22 consensus-based decision making process to develop such
23 recommendations. The panel shall be composed of 12 to
24 15 members, to be appointed by the Secretary as follows:

1 (1) A State Natural Resource official from the
2 State of New Mexico.

3 (2) At least two representatives from Federal
4 land management agencies.

5 (3) At least one tribal or pueblo representative.

6 (4) At least two independent scientists with ex-
7 perience in forest ecosystem restoration.

8 (5) Equal representation from—

9 (A) conservation interests;

10 (B) local communities; and

11 (C) commodity interests.

12 **SEC. 7. MONITORING AND EVALUATON.**

13 The Secretary shall establish a multi-party moni-
14 toring and evaluation process in order to assess the cumu-
15 lative accomplishments or adverse impacts of the Collabo-
16 rative Forest Restoration Program. The Secretary shall
17 include any interested individual or organization in the
18 monitoring and evaluation process. The Secretary also
19 shall conduct a monitoring program to assess the short
20 and long term ecological effects of the restoration treat-
21 ments, if any, or a minimum of 15 years.

22 **SEC. 8. REPORT.**

23 No later than five years after the first fiscal year in
24 which funding is made available for this program, the Sec-
25 retary shall submit a report to the Committee on Energy

1 and Natural Resources of the United States Senate and
2 the Committee on Resources of the United States House
3 of Representatives. The report shall include an assessment
4 on whether, and to what extent, the projects funded pursu-
5 ant to this Act are meeting the purposes of the Collabo-
6 rative Forest Restoration Program.

7 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

8 There are authorized to be appropriated \$5,000,000
9 annually to carry out this Act.

Passed the Senate November 19, 1999.

Attest:

GARY SISCO,
Secretary.